

### **REMARKS**

Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of this Amendment, claims 1, 2, 4, 10 and 11 are amendment and claim 3 is canceled, leaving claims 1, 2, 4, 6-8 and 10-12 pending with claim 1 being independent. No new matter has been added.

Applicants note that there is no art based rejection of claim 3, and therefore have assumed that dependent claim 3 is allowable over the cited prior art.

#### **Objections to the Claims**

The Examiner has objected to claim 1. The Examiner suggests that the element “four interdigital electrodes” on line 7, be changed to “four interdigital transducer electrodes”.

Claim 1 has been amended as suggested by the Examiner.

#### **Claim Rejections under 35 U.S.C. § 112, second paragraph**

Claims 1-4, 6-8 and 10-12 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, on page 2 of the Office Action, the Examiner states that the feature “the at least four interdigital transducer electrodes on lines 2-3 of claim 2 lacks antecedent basis, since the second propagation path and the second electrode pattern were previously recited to have a ‘plurality of interdigital transducer electrodes.’”

Additionally, the Examiner states that “the at least four interdigital transducer electrodes” when referring to the second electrode pattern in claim 1 lacks antecedent basis.

Applicants have amended claims 1 and 2 to overcome these rejections. In particular, Applicants have amended the claims to clarify that the second electrode pattern has a “plurality of interdigital transducer electrodes”.

The Examiner also states that the recitation of “the plural interdigital transducer electrodes” when referring to the “first surface acoustic wave propagation path” is unclear in claims 4, 10 and 11.

Applicants have amended each of these claims to overcome this rejection. In particular, Applicants have amended these claims to clarify that the at least four interdigital transducer electrodes are disposed on the first surface acoustic wave propagation path.

### **Claim Rejections under 35 U.S.C. § 112, first paragraph**

Claims 1-4, 6-8 and 10-12 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement.

The Examiner contends that the original specification does not describe a surface acoustic wave filter having 1) a first electrode pattern with at least at least four interdigital transducer electrodes that are connected in series by connecting wirings, and 2) connecting wirings that are arranged between the first electrode pattern and the second electrode pattern. The Examiner states that Figs. 4, 6A, 6B and 10 all show connecting wirings 66, 94 and 95 that are not “arranged between” the first and second electrode patterns.

Applicants respectfully disagree and contend that the specification does describe a surface acoustic wave filter having both of these features. However, to expedite prosecution, Applicants have amended independent claim 1 to overcome this rejection by amending this claim to recite that at least some of the connecting wirings are arranged between the first electrode pattern and the second electrode pattern. Applicants submit that at least one embodiment in the present application describes this subject matter in such a way as to reasonably convey to one skilled one of ordinary skill in the art that the inventor, at the time the application was filed, had possession of the claimed invention. As specifically stated in the discussion of Fig. 4 on page 15, lines 19-25, “four IDT electrodes 51, 52, 53, 54 on the first surface acoustic wave propagation path are electrically connected in series by connecting wirings 64, 65, 66. IDT electrodes 60, 61 on the second surface acoustic wave propagation path are connected between connecting wirings 64, 65 and ground 20, which are disposed between the first electrode pattern and the second electrode pattern.”

This portion of the specification clearly shows that, in at least one embodiment, the device includes 1) a first electrode pattern with at least at least four interdigital transducer electrodes (e.g. four IDT electrodes 51, 52, 53, 54) that are connected in series by connecting wirings (e.g., connecting wirings 64, 65, 66), and 2) at least some of connecting wirings (e.g., connecting wirings 64, 65) are arranged between the first electrode pattern and the second electrode pattern.

Therefore Applicants respectfully request that this rejection be withdrawn.

### **Claim Rejections under 35 U.S.C. § 103(a)**

Claims 1, 2, 4, 6, 8 and 10-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 03/081773 (Bauer et al.). Additionally, claim 7 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bauer et al. in view of U.S. Pat. No. 5,638,036 (Penunuri et al.).

Applicants submit that independent claim 1 is allowable over the cited prior art, since claim 1 now recites the subject matter of allowable dependent claim 3. Additionally, claims 2, 4, 6, 7, 8, and 10-12 are allowable, since each of these claims depends from independent claim 1.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Tsutomu IGAKI et al.

/Jeffrey J. Howell/

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